

## EXHIBIT A

NORTH CAROLINA  
FORSYTH COUNTY

)  
FILED  
)

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
FILE NO:

2020 MAY 19 A 11:40

OMAR WINSTON KHOURI,

Plaintiff

v.

NATIONAL GENERAL INSURANCE  
MARKETING, INC  
and AMERICAN SELECT PARTNERS, LLC

Defendants

**COMPLAINT AND DEMAND  
FOR TRIAL BY JURY**

Plaintiff, complaining of defendants, alleges and says:

1. Plaintiff is an individual with a principal residence at 1009 Cross Gate Road, Winston Salem, North Carolina, in Forsyth County.
2. The First Defendant, National General Insurance Marketing, Inc (hereinafter "National General") is a Missouri Corporation with a usual place of business of 5630 University Parkway, Winston Salem, North Carolina.
3. The Second Defendant, American Select Partners, LLC (hereinafter "American Select") is a Texas Corporation with a usual place of business of 6116 N. Central Expressway, Suite 1400, Dallas, Texas.
4. All United States based phone numbers in control of Plaintiff are registered on the Federal Do Not Call Registry.
5. The Plaintiff received an unsolicited phone call from American Select on April 14, 2020, in which American Select identified themselves as "US Healthcare."

6. American Select used caller ID neighbor spoofing tactics to hide their real phone number and identity.
7. American Select informed Plaintiff that the purpose of the call was to provide health insurance costs so that Plaintiff can purchase a new health insurance plan.
8. American Select informed Plaintiff that he was being transferred to a North Carolina licensed agent for more information, and then transferred Plaintiff to a representative named Augustine Donahue.
9. American Select's Augustine Donahue is not a North Carolina licensed insurance agent.
10. Upon questioning with American Select's representative Dalton Mills, who self-identified as a supervisor responsible for compliance, Mr. Mills stated to Plaintiff that National General allows unlicensed agents to sell their insurance products during the current coronavirus pandemic.
11. American Select's Augustine Donahue informed Plaintiff that he qualified for multiple PPO plans with National General Insurance and stated that National General is part of the Aetna network.
12. American Select's Augustine Donahue provided insurance quotes to Plaintiff that were not full health insurance coverage, but only short term and accident coverage.
13. American Select's Augustine Donahue used the credentials of Austin Edgar, a North Carolina licensed agent registered with National General, in order to generate insurance quotes and attempt to make a sale.
14. American Select refused to provide insurance coverage details until after they received payment.

15. American Select refused to disclose the real name of their company, instead using the name "US Healthcare," until an agreement to purchase health insurance was made.
16. Plaintiff sent a demand letter to American Select and National General, demanding payment for damages for violation of the Federal Do Not Call List, the Telephone and Consumer Protection Act, emotional distress, and N.C.G.S § 75-1, *et seq*, which Defendants failed and refused to pay.
17. Plaintiff registered a complaint with the North Carolina Department of Insurance against Defendants for investigation on using unlicensed agents to solicit sales of insurance products.
18. By the reason of Defendants' deceptive business practices, Plaintiff has been damaged.
19. By the reason of Defendant's violation of the Federal Do Not Call Registry, Plaintiff has been damaged.
20. By the reason of Defendant's violation of the Telephone Consumer Protection Act, Plaintiff has been damaged.
21. North Carolina General Statute § 75-1.1(a) states:

Unfair methods of competition in or affecting commerce, and unfair or deceptive acts or practices in or affecting commerce, are declared unlawful.

22. North Carolina General Statute § 75-16 states:

If any person shall be injured or the business of any person, firm or corporation shall be broken up, destroyed or injured by reason of any act or thing done by any other person, firm or corporation in violation of the provisions of this Chapter, such person, firm or corporation so injured shall have a right of action on account of such injury done, and if damages are assessed in such case judgment shall be rendered in favor of the plaintiff and against the defendant for treble the amount fixed by the verdict. (1913, c. 41, s. 14; C.S., s. 2574; 1969, c. 833; 1977, c. 707.)

#### CLAIM FOR RELIEF

23. Plaintiff hereby incorporates paragraphs 1 through 22 as if fully set out herein.

24. Plaintiff seeks a compensatory and punitive judgment for each of Paragraphs 17 through 20 in a total amount of between \$10,001 and \$24,999, plus costs and interest.
25. Plaintiff seeks injunction preventing Defendants from contacting Plaintiff by any means unless Plaintiff has expressly permitted or requested contact.
26. Plaintiff seeks any additional relief as the Court may deem just and proper.

This is the 19<sup>th</sup> day of May, 2020.



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Omar Khouri  
1009 Cross Gate Road  
Winston Salem, NC 27106  
Phone: 336-499-0736  
okhouri@tekhnellc.com

*Pro Se Plaintiff*



# STATE OF NORTH CAROLINA

No.

20 CV 02576

Forsyth

County

In The General Court Of Justice

☒ District ☐ Superior Court Division

Name And Address Of Plaintiff 1

Omar Winston Khouri  
1009 Cross Gate Rd  
Winston Salem NC 27106

Name And Address Of Plaintiff 2

**VERSUS**

Name And Address Of Defendant 1

National General Insurance Marketing, Inc  
2626 Glenwood Avenue, Suite 550  
Raleigh, NC 27608

Summons Submitted

☒ Yes ☐ No

Name And Address Of Defendant 2

American Select Partners, LLC  
6116 N. Central Expressway Suite 1400  
Dallas, TX 75206

Summons Submitted

☒ Yes ☐ No

Rule 5(b) of the General Rules of Practice for the Superior and District Courts

Name And Address Of Attorney Or Party, If Not Represented  
(complete for initial appearance or change of address)

Omar Winston Khouri, Pro Se  
1009 Cross Gate Rd  
Winston Salem NC 27106

Telephone No.

336-499-0736

Cellular Telephone No.

336-978-7922

NC Attorney Bar No.

Attorney Email Address

okkhouri@tekhnellc.com

☒ Initial Appearance in Case ☐ Change of Address

Name Of Firm

Fax No.

866-516-3701

Counsel For

☐ All Plaintiffs ☐ All Defendants ☐ Only: (list party(ies) represented)

☒ Jury Demanded In Pleading ☐ Complex Litigation ☐ Stipulate to Arbitration

## TYPE OF PLEADING

(check all that apply)

- ☐ Amend (AMND)
- ☐ Amended Answer/Reply (AMND-Response)
- ☐ Amended Complaint (AMND)
- ☐ Assess Costs (COST)
- ☐ Answer/Reply (ANSW-Response) (see Note)
- ☐ Change Venue (CHVN)
- ☒ Complaint (COMP)
- ☐ Confession Of Judgment (CNFJ)
- ☐ Consent Order (CONS)
- ☐ Consolidate (CNSL)
- ☐ Contempt (CNTP)
- ☐ Continue (CNTN)
- ☐ Compel (CMPL)
- ☐ Counterclaim (CTCL) Assess Court Costs
- ☐ Crossclaim (list on back) (CRSS) Assess Court Costs
- ☐ Dismiss (DISM) Assess Court Costs
- ☐ Exempt/Waive Mediation (EXMD)
- ☐ Extend Statute Of Limitations, Rule 9 (ESOL)
- ☐ Extend Time For Complaint (EXCO)
- ☐ Failure To Join Necessary Party (FJNP)


- ☐ Failure To State A Claim (FASC)
- ☐ Implementation Of Wage Withholding In Non-IV-D Cases (OTHR)
- ☐ Improper Venue/Division (IMVN)
- ☐ Including Attorney's Fees (ATTY)
- ☐ Intervene (INTR)
- ☐ Interplead (OTHR)
- ☐ Lack Of Jurisdiction (Person) (LJPN)
- ☐ Lack Of Jurisdiction (Subject Matter) (LJSM)
- ☐ Modification Of Child Support In IV-D Actions (MSUP)
- ☐ Notice Of Dismissal With Or Without Prejudice (VOLD)
- ☐ Petition To Sue As Indigent (OTHR)
- ☐ Rule 12 Motion In Lieu Of Answer (MDLA)
- ☐ Sanctions (SANC)
- ☐ Set Aside (OTHR)
- ☐ Show Cause (SHOW)
- ☐ Transfer (TRFR)
- ☐ Third Party Complaint (list Third Party Defendants on back) (TPCL)
- ☐ Vacate/Modify Judgment (VCMD)
- ☐ Withdraw As Counsel (WDCN)
- ☐ Other (specify and list each separately)

**NOTE:** All filings in civil actions shall include as the first page of the filing a cover sheet summarizing the critical elements of the filing in a format prescribed by the Administrative Office of the Courts, and the Clerk of Superior Court shall require a party to refile a filing which does not include the required cover sheet. For subsequent filings in civil actions, the filing party must include either a General Civil (AOC-CV-751), Motion (AOC-CV-752), or Court Action (AOC-CV-753) cover sheet.

(Over)

		<b>CLAIMS FOR RELIEF</b>			
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- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Administrative Appeal (ADMA)      | <input type="checkbox"/> Limited Driving Privilege - Out-Of-State Convictions (PLDP) | <input type="checkbox"/> Product Liability (PROD)                                     |
| <input type="checkbox"/> Appointment Of Receiver (APRC)    | <input type="checkbox"/> Medical Malpractice (MDML)                                  | <input type="checkbox"/> Real Property (RLPR)   |
| <input type="checkbox"/> Attachment/Garnishment (ATTC)     | <input type="checkbox"/> Minor Settlement (MSTL)                                     | <input type="checkbox"/> Specific Performance (SPPR)                                  |
| <input type="checkbox"/> Claim And Delivery (CLMD)         | <input type="checkbox"/> Money Owed (MNYO)   | <input checked="" type="checkbox"/> Other ( <i>specify and list each separately</i> ) |
| <input type="checkbox"/> Collection On Account (ACCT)      | <input type="checkbox"/> Negligence - Motor Vehicle (MVNG)                           | Deceptive Business Practices  |
| <input type="checkbox"/> Condemnation (CNDM)               | <input type="checkbox"/> Negligence - Other (NEGO)                                   |   |
| <input type="checkbox"/> Contract (CNTR)                   | <input type="checkbox"/> Motor Vehicle Lien G.S. Chapter 44A (MVLN)                  |   |
| <input type="checkbox"/> Discovery Scheduling Order (DSCH) | <input type="checkbox"/> Possession Of Personal Property (POPP)                      |   |
| <input checked="" type="checkbox"/> Injunction (INJU)      |  |   |

Date	05/19/2020	Signature Of Attorney/Party	
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Signature Of Attorney/~~Party~~

FEES IN G.S. 7A-308 APPLY

Assert Right Of Access (ARAS)

Substitution Of Trustee (Judicial Foreclosure) (RSOT)

Supplemental Procedures (SUPR)

PRO HAC VICE FEES APPLY

Motion For Out-Of-State Attorney To Appear In NC Courts In A Civil Or Criminal Matter (Out-Of-State Attorney/Pro Hac Vice Fee)

No.	<input type="checkbox"/> Additional Plaintiff(s)
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No.	<input type="checkbox"/> Additional Defendant(s)	<input type="checkbox"/> Third Party Defendant(s)	Summons Submitted
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☐ Third Party Defendant(s)

## Summons Submitted

☐ Yes    ☐ No☐ Yes    ☐ No☐ Yes    ☐ No☐ Yes    ☐ No

☐ Yes ☐ No

Plaintiff(s) Against Whom Counterclaim Asserted

Defendant(s) Against Whom Crossclaim Asserted



# STATE OF NORTH CAROLINA

Forsyth County

20 CVD 2576

In The General Court Of Justice  
☒ District ☐ Superior Court Division

Name Of Plaintiff

Omar Winston Khouri

Address

1009 Cross Gate Rd

City, State, Zip

Winston Salem NC 27106

VERSUS

Name Of Defendant(s)

National General Insurance Marketing, Inc  
 American Select Partners, LLC

Date Original Summons Issued

Date(s) Subsequent Summons(es) Issued

## CIVIL SUMMONS

☐ ALIAS AND PLURIES SUMMONS (ASSESS FEE)

G.S. 1A-1, Rules 3 and 4

To Each Of The Defendant(s) Named Below:

Name And Address Of Defendant 1

National General Insurance Marketing, Inc  
 2626 Glenwood Avenue, Suite 550  
 Raleigh, NC 27608

Name And Address Of Defendant 2

American Select Partners, LLC  
 6116 N. Central Expressway Suite 1400  
 Dallas, TX 75206



**IMPORTANT! You have been sued! These papers are legal documents, DO NOT throw these papers out! You have to respond within 30 days. You may want to talk with a lawyer about your case as soon as possible, and, if needed, speak with someone who reads English and can translate these papers!**

**¡IMPORTANTE! ¡Se ha entablado un proceso civil en su contra! Estos papeles son documentos legales. ¡NO TIRE estos papeles!**

**Tiene que contestar a más tardar en 30 días. ¡Puede querer consultar con un abogado lo antes posible acerca de su caso y, de ser necesario, hablar con alguien que lea inglés y que pueda traducir estos documentos!**

### A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address, and
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff)

Omar Winston Khouri  
 1009 Cross Gate Rd  
 Winston Salem NC 27106

Date Issued

5-19-2020

Time

11:40

☐ AM ☐ PM

Signature

*[Handwritten Signature]*

☒ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

☐ ENDORSEMENT (ASSESS FEE)

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date Of Endorsement

Time

☐ AM ☐ PM

Signature

☐ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

**NOTE TO PARTIES:** Many counties have **MANDATORY ARBITRATION** programs in which most cases where the amount in controversy is \$25,000 or less are heard by an arbitrator before a trial. The parties will be notified if this case is assigned for mandatory arbitration, and, if so, what procedure is to be followed.

(Over)



# RETURN OF SERVICE

I certify that this Summons and a copy of the complaint were received and served as follows:

## DEFENDANT 1

Date Served 5/21/2020	Time Served <input type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Defendant National General Insurance Marketing Inc.
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- ☒ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

☐ Other manner of service (specify)

☐ Defendant WAS NOT served for the following reason:

## DEFENDANT 2

Date Served	Time Served <input type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Defendant
-------------	--	-------------------

- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

☐ Other manner of service (specify)

☐ Defendant WAS NOT served for the following reason:

Service Fee Paid \$	Signature Of Deputy Sheriff Making Return
Date Received	Name Of Sheriff (type or print)
Date Of Return	County Of Sheriff

# STATE OF NORTH CAROLINA

File No.

ROCV D 2576

Forsyth

County

In The General Court Of Justice  
☒ District ☐ Superior Court Division

Name Of Plaintiff(s)

Omar Winston Khouri

VERSUS

Name Of Defendant

National General Insurance Marketing Inc

## AFFIDAVIT OF SERVICE OF PROCESS BY

- ☐ REGISTERED MAIL  
☒ CERTIFIED MAIL  
☐ DESIGNATED DELIVERY SERVICE  
 G.S. 1-75.10(a)(5), (a)(6); 1A-1, Rule 4(j2)

I, the undersigned, did mail by ☐ registered mail (return receipt requested), ☒ certified mail (return receipt requested),  
☐ designated delivery service (delivery receipt requested),  
 a copy of the summons and complaint ☐ and other document(s) (list) \_\_\_\_\_

in the above captioned action to (name of person to be served) \_\_\_\_\_

addressed as follows: National General Insurance Marketing Inc  
 2626 Glenwood Ave Suite 550  
 Raleigh NC 27608

Further, that copies of the summons and complaint ☐ and the above listed other document(s) (check, if applicable) were in fact  
 received by the defendant on (date of receipt) 5/21/2020, as evidenced by the attached original receipt.  
 (Attach original receipt or electronic proof of signature confirmation to this affidavit.)

### SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Signature Of Plaintiff/Attorney

[Signature]

Date

6-1-2020

Signature Of Person Authorized To Administer Oaths

[Signature]

Name (type or print)

Omar Khouri

Title Of Person Authorized To Administer Oaths

deputy clerk

☐ Notary

Date My Commission Expires

SEAL

County Where Notarized

Restricted Delivery?

(Extra Fee) ☐ Yes

Service Type

CERTIFIED

Article Number

9414 7116 9900 0483 2218 50



9414 7116 9900 0483 2218 50

### COMPLETE THIS SECTION ON DELIVERY

A. Signature: ( ☐ Addressee or ☐ Agent )

X [Signature]

B. Received By: (Please Print Clearly)

[Signature]

C. Date of Delivery

5/21/20

D. Addressee's Address (If Different From Address Used by Sender)

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City

State

ZIP + 4 Code

Article Addressed To:

National General Insurance Marketing, Inc  
 2626 Glenwood Ave Suite 550  
 Raleigh NC 27608-1370



ATTN : OMAR KHORI  
PHONE : (336)499-0736

## DELIVERY NOTIFICATION


INQUIRY FROM: OMAR KHORI  
OMAR KHORI  
112 C SAUNDERSVILLE ROAD  
HENDERSONVILLE TN 37075

SHIPMENT TO: STEWART B HOGE  
AMERICAN SELECT PARTNERS, LL  
6116 N CENTRAL EXPY STE 1400  
DALLAS TX 75206

Shipper Number.....T2U46E

Tracking Identification Number...1ZT2U46E3520006417

According to our records 1 parcel was delivered on 06/03/20 at 2:52 P.M., and left at your CUSTOMER'S FRONT DESK. The shipment was received by DAVID as follows:

SHIPPER NUMBER	PKG ID NO.	TRACKING NUMBER	ADDRESS (NO/STREET,CITY)	SIGNATURE
T2U46E		1ZT2U46E3520006417	6116 N CENTRAL EXPY STE 1400 DALLAS	

PZB9GML:000A0000



# Proof of Delivery

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

**Tracking Number**

1ZT2U46E3520006417

**Weight**

0.50 LBS

**Service**

UPS 2nd Day Air®

**Shipped / Billed On**

06/01/2020

**Additional Information**

Signature Required

**Delivered On**

06/03/2020 2:52 P.M.

**Delivered To**

DALLAS, TX, US

**Received By**

DAVID

**Left At**

Front Desk

Thank you for giving us this opportunity to serve you. Details are only available for shipments delivered within the last 120 days. Please print for your records if you require this information after 120 days.

Sincerely,

UPS

Tracking results provided by UPS: 06/03/2020 3:55 P.M. EST

FILED

2020 JUN -4 P 4:15

FORSYTH CO., C.S.C.

BY *Kim Wiloughby*

## STATE OF NORTH CAROLINA

Forsyth

County

FILED

File No.

20 CVD 2576

In The General Court Of Justice

☒ District ☐ Superior Court Division

Name Of Plaintiff(s)

Omar Winston Khouri

2020 JUN -4 P 4:15

VERSUS

## AFFIDAVIT OF SERVICE OF PROCESS BY

☐ REGISTERED MAIL☐ CERTIFIED MAIL☒ DESIGNATED DELIVERY SERVICE

G.S. 1-75.10(a)(5), (a)(6); 1A-1, Rule 4(j)(2)

Name Of Defendant

American Select Partners, LLC

FORSYTH CO., C.S.C.

I, the undersigned, did mail by ☐ registered mail (return receipt requested), ☐ certified mail (return receipt requested),☒ designated delivery service (delivery receipt requested),a copy of the summons and complaint ☐ and other document(s) (list) \_\_\_\_\_

in the above captioned action to (name of person to be served) American Select Partners, LLC

addressed as follows: Stewart B Hoge

American Select Partners, LLC Suite 1400

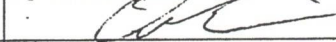
Dallas TX 75206

Further, that copies of the summons and complaint ☐ and the above listed other document(s) (check, if applicable) were in fact received by the defendant on (date of receipt) June 3, 2020, as evidenced by the attached original receipt.

(Attach original receipt or electronic proof of signature confirmation to this affidavit.)

## SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Signature Of Plaintiff/Attorney



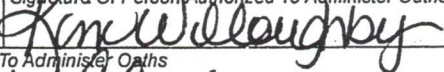
Name (type or print)

Omar Khouri

Date

6-4-2020

Signature Of Person Authorized To Administer Oaths



Title Of Person Authorized To Administer Oaths

Deputy Clerk

☐ Notary

Date My Commission Expires

SEAL

County Where Notarized

NORTH CAROLINA  
FORSYTH COUNTY

FILED

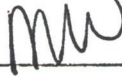
2020 JUN 22 P 1:44

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
20 CVD 2576

OMAR WINSTON KHOURI, FORSYTH CO., C.S.C.

Plaintiff

BY



v.

NATIONAL GENERAL INSURANCE  
MARKETING, INC  
and  
AMERICAN SELECT PARTNERS, LLC

Defendants

**MOTION FOR ENTRY OF  
DEFAULT**

NOW COME Plaintiff, Omar Khouri, move the Court pursuant to Rule 55 of the North Carolina Rules of Civil Procedure for entry of default against Defendant, National General Insurance Marketing, Inc.

In support of the foregoing Motion, Plaintiff respectfully shows the Court as follows:

1. A Complaint was filed and Summonses issued to the Defendants on May 19, 2020.
2. A copy of the Summonses and Complaint was served on Defendant National General Insurance Marketing, Inc via U.S. certified mail return receipt requested May 21, 2020, as evidenced by the Affidavit of Service on file.
3. The Defendant has not filed an Answer or any other responsive pleading to the Complaint.
4. Plaintiff has not been served with an Answer or any other responsive pleading to the Complaint as of the filing of this Motion.
5. The Defendant is neither an infant nor incompetent and has the capacity to sue and be sued.



NORTH CAROLINA

FORSYTH COUNTY

FILED IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
2020 JUN 23 P 3:54 20 CVD 2576

OMAR WINSTON KHOURI,

Plaintiff

v.

NATIONAL GENERAL INSURANCE  
MARKETING, INC  
and  
AMERICAN SELECT PARTNERS, LLC

Defendants

ENTRY OF DEFAULT

It appearing that Defendant National General Insurance Marketing, Inc herein is in default for failure to appear, answer or otherwise plead to the Complaint filed herein within the time required by law. Default is hereby entered against Defendant National General Insurance Marketing, Inc.

Melina Welch, asst

CLERK OF FORSYTH COUNTY

DISTRICT COURT